

REMARKS/ARGUMENTS

Claims 1-12 are pending in the present application. Claims 1-3, 5 and 12 have been allowed. Claim 4 has been rejected under 35 U.S.C. § 112 second paragraph as being indefinite. Claim 4 has been amended to overcome this informality. Claims 6 and 7 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Boltz et al. (U.S. Patent Publication No. 2004/0130379 A1). Claims 8-11 are objected as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Applicant respectfully traverses all rejections.

Claims 6 and 7 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Bolz. Anticipation "requires that the same invention, including each element and limitation of the claims, was known or used by others before it was invented by the patentee." Hoover Group, Inc. v. Custom Metalcraft, Inc., 66 F.3d 299, 302, 36 U.S.P.Q.2d 1101, 1103 (Fed. Cir. 1995). "[P]rior knowledge by others requires that all of the elements and limitations of the claimed subject matter must be expressly or inherently described in a single prior art reference." Elan Pharm., Inc. v. Mayo Foundation for Medical Educ. & Research, 304 F.2d 1221, 1227, 64 U.S.P.Q.2d 1292 (Fed. Cir. 2002) (citing In re Robertson, 169 F.3d 743, 745, 49 U.S.P.Q.2d 1949, 1950 (Fed. Cir. 1999); Constant v. Advanced Micro-Devices, Inc., 848 F.2d 1560, 1571 7 U.S.P.Q.2d 1057, 1064 (Fed. Cir. 1988)). "The single reference must describe and enable the claimed invention, including all claim limitations, with sufficient clarity and detail to establish that the subject matter already existed in the prior art and that its existence was recognized by persons of ordinary skill in the field of the invention." Id. (citing

Crown Operations Int'l, Ltd. v. Solutia Inc., 289 F.3d 1367, 1375, 62 U.S.P.Q.2d 1917, 1921 (Fed. Cir. 2002); In re Spada, 911 F.2d 705, 708 15 U.S.P.Q.2d 1655, 1657 (Fed. Cir. 1990)). See also PPG Indus., Inc. v. Guardian Indus. Corp., 75 F.3d 1558, 1566, 37 U.S.P.Q.2d 1618, 1624 (Fed. Cir. 1996) (emphasis added).

Independent claim 6 has been amended to require a diode electrically connected between the source voltage passageway and the local positive voltage passageway to clamp the local voltage passageway with respect to the source voltage passageway. This amendment gains antecedent basis in the specification wherein the description states "additional features of the circuit 10 include the third diode 26 that is used to clamp the local voltage V_c with respect to the source voltage V_s ." (Page 5, lines 3-5). The Bolz reference does not teach a diode electrically connected between the source voltage passageway and the local positive voltage passageway to clamp the local voltage passageway with respect to the source voltage passageway. Instead, Bolz teaches a source voltage passageway 51 and a local positive voltage passageway 73 that has a diode 74 which is used in combination with first current mirror resistor 63 to form a current mirror in conjunction with a switching means transistor 52 and a second current mirror resistor 64. (Paragraph 0049). Additionally, Bolz teaches diode 75 that is shown in the figures but not described in the specification. Neither diode 74 nor diode 75 is electrically connected between the source voltage passageway and the local positive voltage passageway to clamp the local voltage passageway with respect to the source voltage passageway. Therefore, each and every limitation of claim 6 is not met and the anticipation rejection must be withdrawn.

Additionally, claim 7 is dependent on independent claim 6 and for at least this reason is also considered in allowable form.

CONCLUSION

In view of the above amendments and remarks, Applicant believes that claims 1-12 are in condition for allowance and Applicant respectfully requests allowance of such claims.

If any issues remain that may be expeditiously addressed in a telephone interview, the Examiner is encouraged to telephone the undersigned at 515/558-0200. All fees or extensions of time believed to be due in connection with this response are attached hereto; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account 50-2098.

Respectfully submitted,



Timothy J. Zarley
Reg. No. 45,253
ZARLEY LAW FIRM, P.L.C
Capital Square
400 Locust Street, Suite 200
Des Moines, IA 50309-2350
Phone No. (515) 558-0200
Fax No. (515) 558-7790
Customer No. 34082
Attorneys of Record

- JLH/bjs -